

September 20, 2004

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Re: *Commonwealth v. John Allen Muhammad*
Criminal No. 102500

Gentlemen:

This case is now and has always been about the murder of Mrs. Linda Franklin, and the capital murder charges levied against John Allen Muhammad. The focus has recently been diverted away from the legal issues in this case, and needs to be redirected to the prosecution of Mr. Muhammad and the issues therein.

The integrity of the process is paramount. Anything that detracts from the orderly disposition of this case must therefore be secondary and yield.

I have no personal stake in this trial. My concerns and obligations are and always have been the orderly administration of justice; that the Court faithfully follows the dictates of the Constitution of the United States, the Constitution of the Commonwealth

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of Virginia, applicable case law and the statutes promulgated by the legislature. As the trial judge I have taken no action that is inconsistent with this position.

In order that this case may return its focus to the merits of the case and nothing else, I will recuse myself *sua sponte*. The hearing scheduled for Wednesday, September 22, 2004, remains on the docket; the prosecution and defense should be prepared to go forward on the Defendant's Motion to Dismiss for Speedy Trial Violation and other pending matters at that time.

Sincerely,

Jonathan C. Thacher
Judge

JCT/sah